

### **REMARKS**

This communication is a full and timely response to the aforementioned final Office Action dated February 17, 2011. By this communication, claims 23, 24, 26, 35, 36, 38, 47, 48, 50, 59, 60 and 61 are amended. Claims 70-85 are added. Claims 1-22, 25, 37, 49, 53, 64 and 65 were previously canceled. Claims 27-34, 39-46, 51, 52, 54-58, 62, 63 and 66-69 are not amended and remain in the application. Therefore, claims 23, 24, 26-36, 38-48, 50-52, 54-63 and 66-85 are pending in the application. Claims 23, 35, 47 and 59 are independent.

Reconsideration of the application and withdrawal of the rejections of the claims are respectfully requested in view of the foregoing amendments and the following remarks.

#### **I. Interview**

Applicant thanks the Examiner for kindly conducting a personal interview with Applicant's undersigned representative on May 11, 2011. During the interview, Applicant's representative discussed the claimed invention in view of the applied references. Applicant's representative demonstrated that the applied references do not disclose all the recited features of the claimed invention. However, the Examiner maintained that it would have been obvious to modify the applied references in the manner proposed in the final Office Action dated February 17, 2011.

Applicant's representative also discussed additional distinguishing features of the disclosed embodiments, such as the feature of displaying a third image of an icon having a graphical representation indicating whether or not an operation associated with the dragging of an object can be successfully performed (see., e.g., paragraph [0057] on page 18 of the specification, for example). The Examiner indicated his agreement that the applied references do not disclose or suggest this feature of the present application.

Independent claims 23, 35, 47 and 59 have each been amended to recite this additional distinguishing feature. Applicants respectfully submit that claims 23, 35, 47 and 59 are patentable over the applied references, for at least the following reasons.

## **II. Rejections Under 35 U.S.C. § 101**

Claims 23, 24 and 26-34 were rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter.

Applicant respectfully submits that this rejection is in error. It appears that the rejection of claims 23, 24 and 26-34 under 35 U.S.C. § 101 was inadvertently copied from the non-final Office Action dated October 15, 2010.

In response to October 15, 2010 Office Action, the preamble of claim 23 was amended to recite that the computer-readable recording medium is "non-transitory", thereby precluding a possible interpretation that the recited computer-readable recording medium can constitute a transitory signal.

Accordingly, Applicant respectfully requests that the rejection of claims 23, 24 and 26-34 under 35 U.S.C. § 101 be withdrawn.

## **III. Rejections Under 35 U.S.C. § 103**

**A.** Claims 23, 26-35, 38-47, 50-52, 54-59, 61-63 and 66-69 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Malamud et al. (U.S. Patent Publication No. 2003/0142123, hereinafter "Malamud") in view of Muller (U.S. Patent No. 4,984,152).

Without acquiescing to this rejection, independent claims 23, 35, 47 and 59 have each been amended to recite additional distinguishing features over the applied references. The purported combination of Malamud and Muller cannot support the rejection of the claimed invention under 35 U.S.C. § 103(a), because these references do not establish that all the elements recited in the claimed invention were known in the prior art. See *KSR International Co. v. Teleflex, Inc.*, 82 USPQ2d 1385, 1395 (U.S. 2007); M.P.E.P. § 2143.02. Applicant respectfully submits that the claimed invention is patentable over the applied references for at least the following reasons.

### **(1) Exemplary Embodiment**

An exemplary embodiment of the present disclosure provides a non-transitory computer-readable recording medium (e.g., RAM 118, ROM 120, hard disk 122 illustrated in Fig. 1) having a computer program (e.g., operating system 132, cursor

API 136, display manager 140 illustrated in Fig. 2) recorded thereon that causes a computer (e.g., computer 100 illustrated in Fig. 1) to control a display device (e.g., display device 104 illustrated in Figs. 1 and 2) to display a user interface (e.g., user interface displayed on display 104 as illustrated in Fig. 2) and at least two different images of a cursor within the displayed user interface. For example, the program can cause the computer to display a first image of a cursor (e.g., cursor 200 illustrated in Fig. 3A) and a second image of a cursor (e.g., cursor(s) illustrated in Figs. 7A-7C) in the user interface on the display device 104.

With reference to Fig. 3A, for example, the first image of the cursor 200 comprises a pointer arrow and a tail. The program causes the computer to receive a control input (e.g. from cursor control device 102 illustrated in Fig. 1) containing an instruction to drag at least one object (e.g., icon 142 illustrated in Fig. 2) displayed in the user interface on the display device 104.

The program also causes the computer to control the display device 104 to display, upon receipt of the control input, switch the display of the first image of the cursor 200 (see Fig. 3A) to a display of a second image of the cursor (e.g., any one of the cursors illustrated in Figs. 7A-7C). The second image of the cursor (see Figs. 7A-7C) has a pointer arrow and a first variable graphic that replaces the tail comprised in the first image of the cursor 200.

The program also causes the computer to control the display device 104 to display, while the at least one object (e.g., icon 142) is being dragged, the first variable graphic in the user interface as an alphanumeric representation including a numerical value representing a characteristic of the at least one dragged object. For example, as illustrated in the examples of Figs. 7A and 7B, the first variable graphic of the second image of the cursor is displayed as an alphanumeric representation including a numerical value indicating the number of objects being dragged. In the example of Fig. 7C, the first variable graphic of the second image of the cursor is displayed as an alphanumeric representation including a numerical value indicating a cumulative data size of the number of objects being dragged.

In addition, the program also causes the computer to control the display device 104 to, while the at least one dragged object is being dragged over a destination object, switch the display of the second image of the cursor to a display

of a third image of the cursor in the user interface. According to an exemplary embodiment, the third image of the cursor includes a second hybrid cursor having a pointer arrow with a second variable graphic replacing the first variable graphic included in the second image. The second variable graphic includes a graphical representation indicating whether an operation associated with the dragging of the at least one dragged object can be successfully performed based on the characteristic of the at least one dragged object.

For example, as noted above with respect to the examples of Figures 7A and 7B, the first variable graphic of the second image of the cursor can include a numerical value indicating the number of objects being dragged and/or a cumulative data size of the number of objects being dragged. When the at least one dragged object is over a destination object, the disclosed embodiment provides that the first variable graphic of the cursor is replaced a second variable graphic which includes a graphical representation indicating whether an operation associated with the dragging of the at least one dragged object (e.g., a copy operation) can be successfully performed based on the characteristic of the at least one dragged object. For example, as described in paragraph [0057] on page 18 of the specification and as illustrated in the examples of Figures 8A-8C, the first variable graphic of the second image of the cursor is replaced with a third variable graphic of a third image of the cursor, which provides an indication whether an operation associated with the dragging of the at least one object can be successfully performed based on the characteristic of the at least one dragged object. For instance, with reference to the example of Figure 7C in which the first variable graphic indicates a cumulative data size of the object(s) being dragged, the disclosed embodiment provides that when the at least one dragged object is positioned over a destination object (e.g., a folder icon) whether an operation associated with the dragging of the at least one object will be successful. For example, as described in paragraph [0057], the third image of the cursor including the second variable graphic can include a symbol (e.g., a "plus" sign) indicating that a copy operation will be successful to the destination object. Alternatively, while the at least one dragged object is positioned over the destination object, the second variable graphic of the third image of the cursor can change colors with respect to

the first variable graphic of the second image of the cursor, to indicate to the user whether an operation associated with dragging the at least one dragged object will be successful.

Accordingly, through the transition from a first image of a cursor to a second image of the cursor when the at least one object is dragged, and then to the transition from the second image of the cursor to a third image of the cursor, the user is provided with meaningful feedback as to whether an operation associated with dragging the at least one dragged object will be successful. For example, if the user is dragging a plurality of objects to a memory device of a fixed capacity (e.g., a CD-ROM with a data capacity of 780 megabytes), the user can be informed if all of the dragged objects can be dragged into a window and copied or moved onto the memory device, based on the characteristic of the at least one object (e.g., the data size of the objects being dragged).

Therefore, unlike conventional cursor techniques such as those of Malamud and Muller, which merely display information about an object pointed to by a cursor, the disclosed embodiment provides that the functionality of the icon is advantageously affected since the user will be informed whether an operation associated with the dragging of the at least one dragged object can be successfully performed.

## **(2) Independent Claim 23**

Independent claim 23 recites various features of the above-described exemplary embodiment. In particular, claim 23 recites a computer-readable recording medium having a computer program recorded thereon that causes a computer to control a display device to display a user interface and at least two different images of a cursor within the displayed user interface. Claim 23 recites that the computer program causes the computer to perform operations (1)-(4) below:

- (1) displaying, in the user interface on the display device, a first image of the cursor, the first image of the cursor comprising a pointer arrow having a tail;
- (2) receiving a control input containing an instruction to drag at least one object displayed in the user interface on the display device;

(3) controlling the display device to, upon receipt of the control input, switch the display of the first image of the cursor to a display of a second image of the cursor in the user interface, the second image of the cursor comprising a first hybrid cursor having a pointer arrow with a first variable graphic replacing the tail comprised in the first image; and

(4) controlling the display device to display, while the at least one object is being dragged, the first variable graphic in the user interface as an alphanumeric representation including a numerical value representing a characteristic of the at least one dragged object; and

(5) controlling the display device to, while the at least one dragged object is being dragged over a destination object, switch the display of the second image of the cursor to a display of a third image of the cursor in the user interface, where the third image of the cursor comprises a second hybrid cursor having a pointer arrow with a second variable graphic replacing the first variable graphic comprised in the second image, and the second variable graphic includes a graphical representation indicating whether an operation associated with the dragging of the at least one dragged object can be successfully performed based on the characteristic of the at least one dragged object.

Malamud discloses a computer system which displays an information pointer consisting of two portions: a pointing portion and an information portion. With reference to Figure 2A, for example, the pointing portion is a conventional cursor 28 having an arrow and a tail. The information portion is an information box 30 that constitutes a window for displaying textual and/or graphical information (see ¶ [0042]). Malamud discloses that the user can choose to display an information pointer among formats of name, information, preview or any combination thereof (see ¶ [0044]). Figures of 2A-2C illustrate types of information pointers that include an information box 30 specifying a name. The name of the object is displayed when the conventional cursor 28 hovers over the object (e.g., book icon 32 in Figure 2B). Figures 2I-2N illustrate types of information pointers that include an information box specifying information about the object over which the conventional cursor 28 hovers.

However, the purpose and effect of Malamud is fundamentally different from the features of the claimed invention.

In Figure 2C, Malamud discloses that an information pointer 26 includes a conventional cursor 28 and two information boxes 30A and 30B. Malamud discloses that information boxes 30A and 30B are displayed based on the placement of the conventional cursor 28. Information box 30A is used to designate the name of a source object, and information box 30B is used to designate the name of a target object for a drag-and-drop operation. In Figure 3C, the user is dragging and dropping source object icon 33. Information box 30A representing the source object will contain the name of the source object icon 33 when the conventional cursor 28 is positioned over source object icon 33 and it is dragged. However, when the source object icon 33 is moved to the point of the target object, the name of the target object will be displayed in information box 30B. Accordingly, Malamud merely discloses that a first information box 30A containing the name of a source object is displayed in connection with a conventional cursor when an object is first dragged, and a second information box 30B containing the name of a target object is displayed in connection with a conventional cursor when the dragged object reaches the target object (see paragraph [0047]).

However, at no point does Malamud disclose, suggest or even contemplate that an information box or the cursor includes a graphical representation indicating whether or not an operation associated with dragging the object 33 can be successfully performed. On the contrary, Malamud, at best, merely discloses that the name of the source object (in this case, object 33) is displayed in the information box 30A, and the name of the target object where the source object 33 is to be dragged is displayed when the source object 33 is dragged over the target object.

Furthermore, Malamud also merely discloses that an information box is displayed when a conventional cursor hovers over an object such as file or folder. For instance, with reference to Figures 2D-2L2, for example, Malamud merely discloses that an information box is displayed only when the conventional cursor hovers over an object containing information to be displayed (see, e.g., ¶¶ [0046] and [0052]).

Accordingly, in contrast to claim 23, Malamud does not disclose or suggest that the display of a cursor (1) switches from a first image to a second image, which includes a first variable graphic that displays an alphanumeric representation including a numerical value representing a characteristic of at least one object being dragged, while the at least one object is being dragged, and then (2) switches from the second image to a third image when the at least one object is dragged over a destination object, where the third image of the cursor includes a second variable graphic which replaces the first variable graphic of the second image and which includes a graphical representation indicating whether an operation associated with the dragging of the at least one dragged object can be successfully performed based on the characteristic of the at least one dragged object.

At no point does Malamud disclose or suggest such a transition from a first image of a cursor to a second image of the cursor when an object is being dragged, and then from the second image of the cursor to a third image of the cursor when the at least one object is over a destination object. Furthermore, at no point does Malamud disclose or suggest that a third image of the cursor comprises a second hybrid cursor having a pointer arrow with a second variable graphic replacing the first variable graphic comprised in the second image, and the second variable graphic includes a graphical representation indicating whether an operation associated with the dragging of the at least one dragged object can be successfully performed based on the characteristic of the at least one dragged object, as recited in claim 23.

Muller also does not disclose or suggest the above-described features of claim 23. Muller merely discloses that different images of a cursor are displayed based on the activation of a different executable operation from a pre-selected menu display of executable operations (see Column 7, lines 28-56, and Figures 5-7 and 10).

Therefore, Applicant respectfully submits that Malamud and Muller, either individually or in combination, do not disclose or suggest controlling the display device to, while the at least one dragged object is being dragged over a destination object, switch the display of the second image of the cursor to a display of a third image of the cursor in the user interface, where the third image of the cursor comprises a second hybrid cursor having a pointer arrow with a second variable



graphic replacing the first variable graphic comprised in the second image, and the second variable graphic includes a graphical representation indicating whether an operation associated with the dragging of the at least one dragged object can be successfully performed based on the characteristic of the at least one dragged object, as recited in claim 23, in combination with the other features of claim 23.

Accordingly, for at least the foregoing reasons, Applicant respectfully submits that claim 23 is patentable over claim 23, since Malamud and Muller, either individually or in combination, do not disclose or suggest all the recited features of claim 23.

**(3) Independent Claims 35, 47 and 59**

Independent claims 35, 47 and 59 recite features similar to feature (5) of independent claim 23, which is not disclosed or suggested by Malamud and Muller. Therefore, Applicant respectfully submits that independent claims 35, 47 and 59 are also patentable over Malamud and Muller, since these references, either individually or in combination, do not disclose or suggest all the recited features of claims 35, 47 and 59.

**B.** Claims 24, 36, 48, and 60 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Malamud in view of Muller and further in view of Lektion et al. (U.S. Patent No. 5,801,698, hereinafter "Lektion").

Lektion does not disclose or suggest feature (5) as recited in claim 23, or the corresponding features recited in claims 35, 47 and 59. Consequently, Lektion cannot cure the deficiencies of Malamud and Muller for failing to disclose or suggest all the recited features of claims 23, 35, 47 and 49.

Dependent claims 24, 26-34, 36, 38-46, 48, 50-52, 54-58, 60-63 and 66-85 are patentable by virtue of depending from patentable claims 23, 35, 47 and 59. The dependent claims also recite further distinguishing features over the applied references. The foregoing explanation of the patentability of independent claims 23, 35, 47 and 59 is sufficiently clear such that it is believed to be unnecessary to separately demonstrate the additional patentable features of the dependent claims at this time. However, Applicant reserves the right to do should it become appropriate.

#### **IV. Conclusion**

In view of the foregoing amendments and remarks, it is respectfully submitted that the present application is clearly in condition for allowance. Accordingly, a favorable examination and consideration of the instant application are respectfully requested.

If, after reviewing this Amendment, the Examiner believes there are any issues remaining which must be resolved before the application can be passed to issue, the Examiner is respectfully requested to contact the undersigned by telephone in order to resolve such issues.

Respectfully submitted,

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